IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No. 10877 of 2004

Between:

Pilla Rambabu, S/o. Suryanarayana, r/o.D.No.77-5-10,

Santhi Nagar, Vijayawada, Krishna District,

Licencee of IL 24, M/s. Satya Wines.

..... PETITIONER

AND

1 The Commissioner for Prohibition and Excise, A.P., Hyderabad.
2 The Prohibition and Excise Superintendent, Krishna District at

Machilipatnam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ of mandamus or any other appropriate writ or direction to declare the action of the 2nd respondent in not implementing the order of the 1st respondent passed in
Rc.No. 19339/2004/CPE.G3 dt. 15.6.2004 as illegal arbitrary and consequently direct the respondents to permit the petitioner to shift his licensed premises from D.No.8-33-145/A, Foreman Bungalow Road, Vijayawada to D.No. 21-9-13F , Madhura Nagar, Vijayawada.

Counsel for the Petitioner : MR.A.JAGANNATHA RAO

Counsel for the Respondents : GP FOR PROHIBITION & EXCISE

The Court made the following :

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ORDER :

The petitioner was granted licence in Form IL-24 to run a Wine shop in the name and style of M/s. Satya Wines. He approached the first respondent seeking permission to shift the existing premises to another premises. The first respondent by proceedings dated 15-6-2004 accorded permission for shifting of the shop from the premises at
Door No.8-33-145/A, Foreman Bungalow Road, Vijayawada to
Door No.21-9-13F, Madhuranagar, Vijayawada. Alleging that second respondent did not implement the said orders, the petitioner filed the present writ petition seeking a direction to the second respondent to permit the petitioner to shift the shop in accordance with the proceedings of the first respondent.

Having regard to the nature of the case, the writ petition is being disposed of at the interlocutory stage.

The licence issued to the petitioner was valid till 31-3-2004. It is not revealed as to whether the licence for the year 2004-05 was renewed in favour of the petitioner. Be that as it is, from the year 2005-06, as per the revised policy, the Government has introduced the method of calling for the tenders for issue of licenses under the Andhra Pradesh Indian Liquor & Foreign Liquor Rules, 1970. In that view of the matter, nothing survives in the writ petition.

The writ petition is accordingly dismissed as infructuous. No costs.

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(V.V.S.RAO, J.)

05-07-2005.

Msr.

To

1 The Commissioner for Prohibition and Excise, A.P., Hyderabad.
2 The Prohibition and Excise Superintendent, Krishna District at

Machilipatnam.

3 2 CCs to Government Pleader for Prohibition and Excise,

High Court Buildings, Hyderabad.

4 2 CD copies

HON'BLE SRI JUSTICE V.V.S. RAO

W.P.No.10877 of 2004

05-07-2005

(Msr)